

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL NO. 04-30124-MAP

ALEX DELGADO, Petitioner,

vs.

KATHLEEN M. DENNEHEY, Respondent.

PETITIONER'S MOTION FOR LEAVE TO FILE
MEMORANDUM IN OPPOSITION TO RESPONDENT'S
MOTION TO DISMISS OUT OF TIME

Petitioner Alex Delgado moves the Court for leave to file his Memorandum In Opposition To Respondent's Motion To Dismiss out of time on the ground that his undersigned counsel was unable to complete it within the time provided by the order of this Court. Petitioner's opposition was scheduled to be filed November 6, 2006 and oral argument on the motion is scheduled to be heard November 16, 2006. Petitioner's Memorandum In Opposition is lengthy [65 pages] and counsel underestimated the amount of time required to prepare it. Despite working on this project virtually full time on October 30, 31, November 1, and 6, counsel's editing and revisions occupied the entire day of November 7, 2006. Counsel apologizes to the Court and to opposing counsel for his tardiness in submitting this Memorandum.

WHEREFORE, Petitioner Alex Delgado requests permission to

file his Memorandum In Opposition out of time on November 7, 2006.

Respectfully submitted,
ALEX DELGADO, PETITIONER

By /s/ John M. Thompson
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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper will copies will be sent to those indicated as non registered participants on this 7th day of November, 2006.

/s/ John M. Thompson
John M. Thompson